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**PETITION FOR EXPRESS
ABANDONMENT TO OBTAIN A REFUND**

Fax the petition directly to the
Pre-Grant Publication Division at (703) 305-8568
Or Mail the petition to:
Mail Stop Express Abandonment
Commissioner for Patents
P.O. Box 1450, Alexandria, VA 22313-1450

Application Number	10/773,976
Filing Date	Feb. 6, 2004
First Named Inventor	Darrel D. Cherry
Art Unit	2622
Examiner Name	unknown
Attorney Docket Number	200209495-1

Petition for Express Abandonment Under 37 CFR 1.138(d) to Obtain a Refund

I hereby petition to expressly abandon the above-identified application to obtain a refund of any previously paid search fee and excess claims fee in the application. Please refund any search fee and excess claims fee paid in this application.

☒ The Director is hereby authorized to credit the fee(s) to Deposit Account No. 08-2025.

NOTE: The provisions of 37 CFR 1.138(d) only apply to applications filed under 35 U.S.C. 111(a) on or after December 8, 2004. A paper requesting express abandonment of an application is not effective unless and until an appropriate USPTO official recognizes and acts on the paper. See the Manual of Patent Examining Procedure (MPEP), section 711.01.

TO AVOID PUBLICATION, INCLUDE FORM PTO/SB/24A AND PETITION FEE WITH THIS FORM.

- I am the: ☐ applicant.
- ☐ assignee of record of the entire interest. See 37 CFR 3.71.
Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)
- ☒ attorney or agent of record. Attorney or agent registration number is 44,302.
- ☐ attorney or agent acting under 37 CFR 1.34, who is authorized under 37 CFR 1.138(b) because the application is expressly abandoned in favor of a continuing application.
Attorney or agent registration number is _____.

Nathan R. Rieth
Signature

3/26/2008
Date

Nathan R. Rieth

Typed or printed name

208-396-5287

Telephone Number

Note: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

☐ Total of _____ forms are submitted.

This collection of information is required by 37 CFR 1.138(c). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Express Abandonment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO 9199 and select option 2.